

In re: Malik
Serial No.: 09/838,878
Filed: April 20, 2001
Page 9 of 11

REMARKS

Applicant has cancelled Claims 1-7, 9, 10, 16, 18-24, 26, 27, 32, 34-40, 42, 43 and 48, and has amended Claims 8, 11, 25, 28, 41 and 44 to clarify Applicant's invention.

Amended independent Claim 8 recites a web-based method of providing healthcare services to patients, the method comprising the following performed by a web-based data processing system:

accepting entry of information about a medical condition of a patient...;
assigning the patient to one of a plurality of pools of patients based on one or more attributes of the patient from the entered patient information and/or based on one or more attributes of a healthcare provider qualified to advise patients in the assigned pool, wherein the one or more patient attributes are selected from the group consisting of patient geographical location, patient age, patient medical condition, patient willingness to pay healthcare provider, and patient ability to pay healthcare provider, and wherein the one or more healthcare provider attributes are selected from the group consisting of healthcare provider specialty, proximity of patient to healthcare provider, volume of healthcare provider patients, previous relationship between healthcare provider and patient, contractual obligations of healthcare provider, range of fees healthcare provider is willing to accept, and healthcare provider licenses;

allowing a healthcare provider qualified to treat patients in the assigned pool to view the patient information;

providing a secure area within which the healthcare provider provides a diagnosis and/or treatment recommendation for the medical condition of the patient, wherein the secure area is accessible by the patient via the web-based client device;

notifying the patient *via electronic communication* that the healthcare provider has provided a diagnosis and/or treatment recommendation for the medical condition of the patient within the secure area; and

allowing the patient to access the secure area and, *via the secure area, view the diagnosis and/or treatment recommendation provided by the healthcare provider, communicate iteratively with the healthcare provider regarding the diagnosis and/or treatment recommendation, and select a treatment option.*

Independent Claims 25 and 41 contain similar recitations.

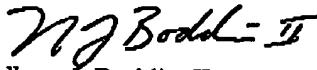
Applicant respectfully submits that none of the cited references in the Final Office Action of March 25, 2005, alone or in combination, teach or suggest a web-based system for accepting medical condition information from a patient and then assigning the patient to a pool of patients based on one or more attributes of the patient and/or based on one or more attributes of a healthcare provider qualified to advise patients in the assigned pool, wherein the one or more patient attributes are selected from the group consisting of patient

In re: Malik
Serial No.: 09/838,878
Filed: April 20, 2001
Page 10 of 11

geographical location, patient age, patient medical condition, patient willingness to pay healthcare provider, and patient ability to pay healthcare provider, and wherein the one or more healthcare provider attributes are selected from the group consisting of healthcare provider specialty, proximity of patient to healthcare provider, volume of healthcare provider patients, previous relationship between healthcare provider and patient, contractual obligations of healthcare provider, range of fees healthcare provider is willing to accept, and healthcare provider licenses. None of the cited references, alone or in combination, teach or suggest a web-based system that provides a secure area within which a healthcare provider provides a diagnosis and/or treatment recommendation for a patient, and that is accessible by the patient via a web-based client device. None of the cited references, alone or in combination, teach or suggest a web-based system that notifies a patient via electronic communication that a healthcare provider has provided a diagnosis and/or treatment recommendation for a medical condition of the patient within the secure area. Moreover, none of the cited references, alone or in combination, teach or suggest a web-based system that allows a patient to access the secure area and, via the secure area, view the diagnosis and/or treatment recommendation provided by the healthcare provider, communicate iteratively with the healthcare provider regarding the diagnosis and/or treatment recommendation, and select a treatment option. As such, Applicant respectfully requests withdrawal of the present rejections of the claims under 35 U.S.C. §103.

In view of the above, it is respectfully submitted that this application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

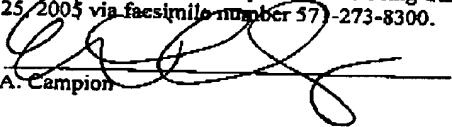

Needham J. Boddie, II
Attorney for Applicants
Registration No. 40,519

USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec, P.A.
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Doc. No. 451317

In re: Malik
Serial No.: 09/838,878
Filed: April 20, 2001
Page 11 of 11

CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 CFR § 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office on July 25, 2005 via facsimile number 571-273-8300.


Erin A. Campion